

## OFFICE OF THE ATTORNEY GENERAL

CHARLES A. GRADDICK  
ATTORNEY GENERAL  
STATE OF ALABAMA

JUL 16 1985

JAMES R. SOLOMON, JR.  
DEPUTY ATTORNEY GENERAL  
  
WILLIAM M. BEKURS, JR.  
EXECUTIVE ASSISTANT  
  
WALTER S. TURNER  
CHIEF ASSISTANT ATTORNEY GENERAL  
  
JANIE NOBLES  
ADMINISTRATIVE ASSISTANT

ADMINISTRATIVE BUILDING  
64 NORTH UNION STREET  
MONTGOMERY, ALABAMA 36130  
AREA (205) 834-5150

Hon. Willie Mae Elmore  
Chairperson  
Greene County Board of Registrars  
Post Office Box 2245  
Eutaw, Alabama 35462

Boards of Registrars -  
Compensation - Voter  
Re-Identification

State is to pay Board of  
Registrars \$35.00 per special  
session day pursuant to Code of  
Alabama 1975, § 17-4-180, et  
seq.

Code of Alabama 1975, § 17-4-180,  
et seq. does not limit  
the number of special session  
days a board may meet in  
complying with the Act.

Dear Ms. Elmore:

Our office received an opinion request from you  
concerning the following matter:

1. Does the state pay registrars the  
\$35.00 per day allowance provided in the  
provisions of Act No. 84-389, Section 9 of  
the Code of Alabama, 1975?
2. If the answer to number one above is  
in the affirmative, is there a limit to  
the number of special session days a board  
may use to complete its task prior to the  
deadline specified in Act No. 84-389?

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3. Can the local County Commissioners legally pay members of the board the \$5.00 per day currently being paid for regular session days?

Act No. 84-389, Section 9 codified as Section 17-4-188, Code of Alabama 1975 provides, in pertinent part:

Each member of the board of registrars shall receive \$35.00 per day, for each day's attendance upon the special sessions of the board required under the provisions of this article; but if such special session is held on the same day a regular session is required to be held under the laws of this state, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this article that registrars shall be entitled to receive only one per diem allowance for one day's service.

In answer to your first question it is obvious that the legislature intended that \$35.00 per day be paid to the board of registrars for attendance upon special sessions required under Act No. 84-389. In view of the fact that Act No. 84-389 has statewide application, it is the opinion of the Attorney General that the state pays the \$35.00 per day.

In answer to your second question, Act No. 84-389 does not limit the number of special session days a board may use in complying with the mandates of the Act.

The response to your third question depends upon whether the special session falls on a regular session date. If so, the registrars are entitled to receive their compensation, which presumably would include the additional county compensation. However, if the re-identification session does not coincide with a regular session day, the boards of registrars are entitled to receive only the \$35.00 called for in the Act.

I do hope I have adequately answered your inquiry. If,

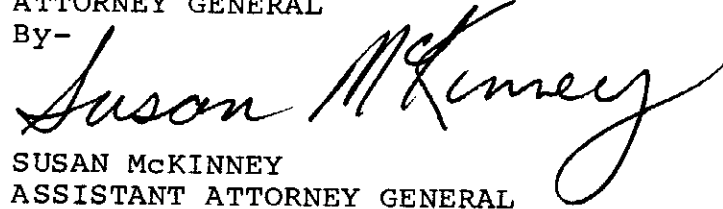
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however, I may be of further assistance, please do not  
hesitate to contact me.

Sincerely,

CHARLES A. GRADDICK  
ATTORNEY GENERAL

By-

A handwritten signature in cursive script, reading "Susan McKinney". The signature is written in dark ink and is positioned over the typed name and title of the signatory.

SUSAN MCKINNEY  
ASSISTANT ATTORNEY GENERAL

CAG:SMcK:fm